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Attorneys for Sellas Life Sciences Group, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALBERT ZHANG, Derivatively on
Behalf of Nominal Defendant GALENA
BIOPHARMA, INC.,

Plaintiff,

v.

WILLIAM L. ASHTON, RICHARD CHIN,
IRVING M. EINHORN, STEPHEN
GALLIKER, SANFORD J. HILLSBERG,
RUDOLPH NISI, MARK W. SCHWARTZ,
JANE WASMAN, FABIO LOPEZ, STEPHEN
F. GHIGLIERI, DAVID A. SCHEINBERG,
ROBERT L. VAN NOSTRAND, JOHN
VARIAN, and ANGELOS M. STERGIOU,

Defendants,

SELLAS LIFE SCIENCES GROUP, INC. f/k/a
GALENA BIOPHARMA, INC.

Nominal Defendant.

Case No. 4:18-cv-03804-MMC

**STIPULATION AND PROPOSED ORDER
SETTING SCHEDULE FOR BRIEFING
ON MOTION TO DISMISS**

WHEREAS, on June 26, 2018, Plaintiff Albert Zhang ("Plaintiff") filed the above-captioned action against Defendants William L. Ashton, Richard Chin, Irving M. Einhorn, Stephen Galliker, Sanford J. Hillsberg, Rudolph Nisi, Mark W. Schwartz, Jane Wasman, Fabio Lopez, Stephen F. Ghiglieri, David A. Scheinberg, Robert L. Van Nostrand, John Varian,

1 Angelos M. Stergiou, and nominal defendant Sellas Life Sciences Group, Inc. f/k/a Galena
2 Biopharma, Inc.(collectively, “Defendants”);

3 WHEREAS on August 2, 2018, the Court ordered a briefing schedule for any motions to
4 dismiss the Complaint (Dkt. 18);

5 WHEREAS, counsel for Plaintiff and counsel for Defendants have met and conferred and
6 agreed to extend the time for Defendants to answer or otherwise respond to the Complaint.

7 NOW THEREFORE, Plaintiff and Defendants through their respective counsel listed
8 below, agree and stipulate as follows:
9

- 10 1. Defendants need not answer, move, or otherwise respond to the Complaint until August
11 30, 2018.
- 12 2. Plaintiff shall have until September 28, 2018 to file an opposition to any motion to
13 dismiss filed by Defendants.
- 14 3. Defendants shall have until October 19, 2018 to file a reply to Plaintiff’s opposition.
15

16 IT IS SO STIPULATED

17 Dated: August 13, 2018

PAUL HASTINGS LLP

18 /s/ Edward Han
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26 *Attorneys for Defendants Sellas Life Sciences*
Group, Inc., William L. Ashton, Richard Chin,
27 *Irving M. Einhorn, Stephen Galliker, Sanford J.*

Hillsberg, Rudolph Nisi, Jane Wasman, Fabio Lopez, Stephen F. Ghiglieri, David A. Scheinberg, Robert L. Von Nostrand, John Varian, and Angelos M. Stergiou

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ECF ATTESTATION

I, Edward Han, am the ECF User whose ID and password are being used to file this Stipulation Setting Schedule for Briefing on Motion to Dismiss and [Proposed] Order. In compliance with Civil Local Rule 5-1(i)(3), I attest that concurrence in this Stipulation Setting Schedule for Briefing on Motion to Dismiss has been obtained from any signatories indicated by a “conformed” signature (/s/) within this e-filed document.

Dated: August 13, 2018

/s/ Edward Han

[PROPOSED] ORDER

IT IS HEREBY ORDERED that, pursuant to the stipulation of the parties:

1. Defendants need not answer, move, or otherwise respond to the Complaint until August 30, 2018.
2. Plaintiff shall have until September 28, 2018 to file an opposition to any motion to dismiss filed by Defendants.
3. Defendants shall have until October 19, 2018 to file a reply to Plaintiff's opposition.

IT IS SO ORDERED.

Date: _____

Hon. Maxine M. Chesney
United States District Judge